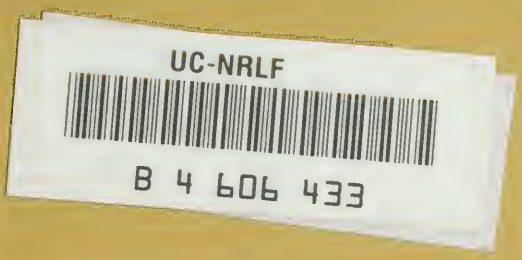
F
3097
.3
R3



RIVAS VICUNA

CHILE AND PERU

Y DOA4009

ANCROFT

LIBRARY

The Bancroft Library

University Library

University of California · Berkeley

Bancroft Library
University of Californi.
WITHDRAWN

PAN AMERICAN UNION

L. S. ROWE
DIRECTOR GENERAL

E. GIL BORGES
ASSISTANT DIRECTOR

WASHINGTON, D. C., U. S. A.

Dr. L. S. Rowe, Director General of the Pan American Union, has the honor to send you the accompanying volume at the request of the Ambassador of Chile. It is desired that an acknowledgement be sent to,

His Excellency,
The Ambassador of Chile,
Senor Don Beltran Mathieu,
2145 Florida Avenue,
Washington, D. C.

CHILE AND PERU.

A HISTORY OF THE DISPUTES
BETWEEN THE TWO REPUBLICS.

The Chilean Sovereignty
in
Tacna and Arica.

The Rights of Chile.

KOBE:
PRINTED AT THE "JAPAN CHRONICLE" OFFICE,
1919.

CAMARONES A COPIAPO 1300 KILOMETROS

CAMARONES A COQUIMBO 1600 KILOMETROS

CHILE AND PERU.

A HISTORY OF THE DISPUTES BETWEEN THE TWO REPUBLICS.

KOBE:
PRINTED AT THE "JAPAN CHRONICLE" OFFICE,
1919.

F3097
.3
R3

Bancroft Library

Bancroft Library
University of California
WITHDRAWN

CONTENTS.

INTRODUCTION 1

CHAPTER I. Rupture of Diplomatic Relations provoked by Peru in 1901 6

CHAPTER II. Peruvian Propaganda against Chile in 1918 9

CHAPTER III.

I. The Province of Tacna 20

II. The Special Importance of Tacna . . 23

III. The Treaty of Ancon & Chilean Rights . 26

IV. Chilean Work in Tacna 28

V. The Characteristics of the Plebiscite . 30

VI. Negotiations Regarding the Plebiscite . 33

VII. The Present Situation 36

INTRODUCTION.

THE CHILEAN SOVEREIGNTY IN TACNA: THE RIGHTS OF CHILE.

The war which broke out forty years ago between Chile and Peru

ERRATA.

Page 20, line 6,

Area .....233,000 kilometres, *should read*

Area ..... 23,300 sq. kilometres.

Page 26, 9th line from bottom,

For Africa *read* Arica.

Page 24, line 21,

For Moquena *read* Moquegua.

servation of friendship with a view to ensuring the co-operation of the two countries. It also held the rights established by the Treaty of Ancon in full respect.

Contrary to this attitude on the part of the Chilean Government, the Peruvian Government showed no inclination to expedite the negotiations but snatched at every pretext to break them off. On feeble pretexts that Government withdrew its diplomatic representative at Santiago in March 19th, 1910, after which date diplomatic relations between the two countries were ruptured.

On April 2nd, 1910, the Chilean Minister in Tokio gave a description of these circumstances to the Japanese public in a statement given out to some leading Japanese papers for publication. This document testified to the unwarranted acts committed by the Peruvian

INTRODUCTION.

THE CHILEAN SOVEREIGNTY IN TACNA: THE RIGHTS OF CHILE.

The war which broke out forty years ago between Chile and Peru was brought to an end by the conclusion of a Treaty of Peace and Friendship, signed at Ancon on October 20th, 1883, and ratified on May 21st, 1884.

The conclusion of the Treaty radically disposed of all problems between the two countries except one relating to the destinies of the small territories of Tacna and Arica, the point which was left to be determined by plebiscite.

The Republic of Chile was always ready to fulfil this condition of the Treaty, but Peru refused to fulfil it. Negotiations which were entered into between the two countries over the question were invariably conducted by Chile in a spirit of sincerity which was calculated to promote an amicable settlement of the dispute, but the attitude adopted by the Peruvian Government in carrying on negotiations was far from sincere, and it made a point of frustrating the noble purposes of the Chilean Government.

After prolonged negotiations in which Chile vainly endeavoured to reach an amicable agreement with Peru, the latter country withdrew her diplomatic representative accredited to Chile in 1901.

In 1905, however, diplomatic relations were restored between the two countries, largely due to the efforts of the Chilean Foreign Minister.

In the negotiations subsequently commenced the Chilean Government proposed a new basis of settlement in accordance with the principles that had been approved by the Peruvian Government and in the discussion of the whole affair paid special regard to the preservation of friendship with a view to ensuring the co-operation of the two countries. It also held the rights established by the Treaty of Ancon in full respect.

Contrary to this attitude on the part of the Chilean Government, the Peruvian Government showed no inclination to expedite the negotiations but snatched at every pretext to break them off. On feeble pretexts that Government withdrew its diplomatic representative at Santiago in March 19th, 1910, after which date diplomatic relations between the two countries were ruptured.

On April 2nd, 1910, the Chilean Minister in Tokio gave a description of these circumstances to the Japanese public in a statement given out to some leading Japanese papers for publication. This document testified to the unwarranted acts committed by the Peruvian

Government, which was more interested in keeping up this petty problem than settling it once and for all, in spite of the fact that it could promote the progress of its country by settling it quickly.

Ever since this second rupture of diplomatic relations the Chilean Government made constant endeavours to bring about a restoration of relations and with this object in view a few conferences took place in November, 1917, between the Chilean Foreign Minister and the representatives of Peru in Argentine and in Brazil when they were passing through Santiago. Hopes were indeed entertained by many people at the time that these conferences would lead to re-establishment of diplomatic relations. The Chilean President expressed this belief in his annual speech in opening the Chambers.

Unfortunately, however, Chilean purposes and hopes were once more frustrated by Peruvian practices, which set the universal desire for peace at naught and complicated the situation all the more.

False information submitted by a Peruvian Consul to his Government obtained ready credence of the Peruvian Authorities, and this even widened the difference separating the two countries. This state of things was a source of sincere regret to the Chilean Government which was always solicitous for the promotion of the happiness and progress of the two peoples.

The Chilean Government and people very sincerely regret this attitude on the part of Peru of disregarding justice and cordiality, and they hope that the time will come when the Peruvian Government will think better of its attitude and manifest greater respect for friendship, based upon solidarity of interests and duties for the promotion of civilisation work, such as has always been shown by the Chilean Government.

During these events the President of the United States ascribes a high value to the local question between Chile and Peru and sent to both Governments a note, on the 10th day of December, 1918, which text follows:

"The President of the United States desires to inform Your Excellency that the various incidents leading up to the severance of consular relations between the Republics of Chile and Peru have been viewed by the government with the gravest apprehension. Any agitation tending to lessen the prospect of a permanent peace throughout the world, particularly on the eve of the peace conference in Paris in which it is confidently expected that steps will be taken to provide for an everlasting peace among the Allies would be disastrous and those persons who cause this condition would be charged with a grave responsibility beofre the world for their actions.

"The United States feels it its duty to draw the attention of the governments of Chile and Peru to the gravity of the present situation and to point out to these governments the duty they owe to the rest of the world and to beg that they take immediate steps to restrain the population and re-establish peaceful relations.

"That a satisfactory and peaceful solution of the matter of dispute between the two countries may be arrived at there can be no doubt, and the Government of the United States stand ready to tender, alone or in conjunction with the other countries of this hemisphere, all possible assistance to bring about an equitable solution of this matter."

The Chilean Government replied to His Excellency President Wilson on the 12th December, cabling to Washington the following

note-verbal in which His Excellency the President of Chile, Mr. Juan Luis Sanfuentes, expresses confidence in the amicable settlement of the question promoted by Peru:

"The President of Chile acknowledges the friendly message of H. E. President Wilson advising that the Government of the United States views with concern the incidents which have led to the suspension of consular relations between Chile and Peru. In reply thereto the President of Chile declares that these events have not for a moment affected the calm attitude of the Chilean Government in consideration of incidents that in any way can disturb our international relations.

"H. E. the President of the United States with good reasons, holds that any cause of agitation tending to obscure or delay the prospect of a permanent peace throughout the world would be a serious matter and having confidence that at the peace conference in Paris measures will be successfully taken to establish a lasting peace between all nations, His Excellency emphasises the grave responsibility in the eyes of the world of those who would inopportunely initiate divisive acts.

"The President of Chile takes this opportunity to point out that Chile has most happily been in amity with all nations for more than thirty-five years, devoting efforts and strength to promote the progress and wellbeing of her own people, having been able to adjust in a true spirit of justice all outstanding questions with neighboring States. In this spirit the President of Chile prays earnestly for the success of the forthcoming conference in Paris that its work of re-establishing peace among all the peoples of the world be accomplished.

"H. E. President Wilson feels it laid upon him to direct the attentions of the Governments of Chile and Peru to the duty incumbent on them in the eyes of the world and for the sake of humanity to so order events that peace may be maintained.

"The President of Chile concurs in this lofty ideal and renders full assurance that his Government has so ever acted as to remove every hindrance to the maintenance of friendly relations with all nations, more especially with those of the American Continent.

"In concluding his gracious message, H. E. the President of the United States states the firm conviction that satisfactory and peaceful solution of outstanding questions can be arranged and to this end his Government is ready to tender its good offices, alone or in cooperation with the other governments of this hemisphere, towards bringing about an equitable adjustment of matters at issue.

"The President of Chile appreciates the friendly sentiments of the United States Government and is greatly gratified thereby. He is confident there will be found a permanent solution of the pending differences between Chile and Peru (towards settlement of which are directed his constant endeavours) in affirming and conforming to the articles of the Treaty of Ancon which defines the relations of the two countries and on which rests the faith of the Chilean Nation."

The Minister of Foreign Affairs, Mr. Luis Barros Borgoño, in communicating the Presidential message to the Chilean Congress, delivered the following commentaries:

"In word and in spirit alike this lofty message is in harmony with an international policy having that regard for the right and

that accord with the principles of justice which are the common heritage of American peoples. At all times in her history Chile has firmly upheld these ideals and has given practical expression thereof in the conclusion of international treaties of the greatest importance.

"It is not necessary to recall the treaty which brought to a happy end the long standing, delicate boundary question with the Argentine Republic, a treaty which re-established the ancient and historical friendship of the two nations on the firmest basis, viz, sincerity of feelings, mutual regard, cordial understanding of each others' needs and outlook, and belief in the possession of common aspirations and of common destinies.

"Of the same nature was the Treaty of Peace and Friendship with the Republic of Bolivia, signed on the 20th of October, 1904, which regularized the temporary provisions of the Convention of Truce of date 4th of April, 1883. In its origin, the earlier treaty dealt only with the immediate improvement of the situation, but, as it ended the war, it looked forward to a well defined progress of events resulting in a solid and lasting peace between the two Republics. In the twenty years of loyal adherence to the provisions of the truce, old rivalries died out; there grew up a fuller understanding and a spirit of equity that brought about full understanding of all conditions and finally resulted in the establishment of political and commercial relations between the two countries.

"Again the ties of traditional friendship between Chile and Brazil have been strengthened by a policy of perfect understanding and mutual frankness of views.

"Likewise we maintain towards and receive from the Republic of Uruguay the same friendly relations. We cherish towards her amicable feelings as characteristic of our own national genius as of the other American countries with whom we live in fraternal harmony.

"It is a source of deep satisfaction to Chile in these days to feel that she has the friendly support of these nations and in particular the sincere spontaneous demonstrations of this in Quito and Bogota call forth once more the gratitude of Chileans.

"It is clear that the nations of this hemisphere understand and appreciate the international policy of Chile, a policy always based on sentiments of justice, a policy which has guided her in all the critical periods of American development, a policy dominated by thoughts of duty and by an enduring healthy spirit consistent with true American progress.

"Chile has not pending any fundamented or vital question. Her differences with Peru came to a head in 1910, with the unfortunate withdrawal of the Peruvian Legation, a position which had not been altered in spite of every effort on the part of Chile through her Foreign Office to re-establish diplomatic relations.

'It is notorious, as everyone knows, that our controversy is derived from secondary and accidental stipulations of the Treaty of Ancon, a treaty setting forth in solemn form and defining in indisputable terms the political relations between the two countries.

"Now, as always, Chile is willing to make arrangements and submit references for the regulation of a plebiscite to decide definitely the sovereignty of Tacna and Arica, which belong to Chile until

the plebiscite is accomplished. I do not need to reiterate that the national desire to hold this plebiscite is real and unanimous. I am certain that the result of the popular vote in these provinces will be an unequivocal expression of strong desire to be incorporated definitely in the Chilean body politic, for therein stands the guarantee of their prosperity and wellbeing."

The right of Chile is clearly established and her conciliatory spirit was always in evidence on the course of negotiations. She was sure that if a plebiscite were taken it would give her sovereignty over the territories of Tacna and Arica.

I propose to set forth a brief summary of historical facts showing how Chile has always dealt with Peru in a spirit of justice and how her just attitude was not reciprocated by the Peruvian Government.

FRANCISCO RIVAS VICUNA,

Minister Extraordinary and Plenipotentiary of Chile in Japan and China.

Tokio, December, 1918.

CHAPTER I.

DIPLOMATIC RELATIONS BROKEN BY PERU IN 1901

(Information published by the Chilean Minister in Tokyo, 2nd April, 1910.)

1.

After more than four years of very bitter campaigning, in which the Chilean arms were always victorious, but which cost Chile many lives and a great deal of money, a treaty of peace was signed at Ancon, according to which Peru gave to Chile forever the province of Tarapaca, but was, however, to keep under her rule and under submission to her laws the provinces of Tacna and Arica, while a plebiscite would decide under what nationality, Chilean or Peruvian, these provinces would be incorporated. In this manner the war was concluded and Chile was compensated for her war expenses and for those debts of Peru whose payment the former had taken charge of.

Nothing was stated in the treaty about the manner and conditions according to which the plebiscite should be verified, and twenty-six years have elapsed without either country being able to agree in this respect.

While Peru has pretended and maintained with obstinacy that only those Peruvians residing in Tacna should decide on the lot of this province, Chile maintains that all person residing in this territory should vote indiscriminately, no matter the nationality they might belong to.

Chile persisting, for the sake of her own honour, that the plebiscite should be verified under conditions of perfect honesty and loyalty in order to give all possible guarantee to Peru has lately proposed to the latter that the plebiscite should take place at the beginning of 1911, so that Chile might have time to finish the construction of the railway from Arica to La Paz, which of itself was a promise made before the national faith of the people after the treaty of peace lately adjusted with Bolivia; and that all Chileans, Peruvians and foreigners should vote who have resided there for six months at least, and whose age is allowed by the Peruvian or the Chilean laws (which in this instance perfectly agree) to be citizen electors; and that the board for inscribing the voters as well as the board for collecting the votes be composed of one Chilean, who should preside, and one Peruvian and one foreigner, the latter appointed by a friendly power. Up to the present, Chile has not been able to get any answer from Peru to this fair suggestion.

II.

Meanwhile in Tacna and Arica an incident has lately taken place extremely inadmissible for the playing of the authorities, which has forced the Chilean Government to take hard measures to be applied to the territory submitted to their supremacy and full jurisdiction as it is in Tacna and Arica. The ecclesiastical administration of the province depends on the Peruvian Bishop of Arequipa, who carefully appoints only Peruvians priests, whose chief business is to preach against Chile and all that is Chilean, before the Chilean authorities under whose rule the province is.

The peace treaty of Ancon left Tacna and Arica under submission to the supremacy, constitution and laws of Chile, so long as the plebiscite does not take place and it is not determined otherwise In spite of this the Peruvian Bishop of Arequipa has appointed all priests and has never solicited from the Government of Chile the license that the Constitution and the Chilean laws require as absolute necessity, before the priests are allowed to exercise their duties. The diplomatic negotiations made by Chile to obtain the promise that foreign priests might be appointed in Tacna and Arica, Chileans having not been admitted and that the constitutional license be asked for, have been in vain. The Peruvians priests appointed by the Bishop of Arequipa have taken possession of churches and exercised their duties, refusing to solicit the said constitutional license.

Such being the situation, the Chilean Government was compelled to cause the constitution and the laws to be observed by closing the churches until the constitutional license was obtained.

The priests by way of frustrating the Chilean Authorities have installed themselves in private oratories exercising their parochial duties in the same and even in a worse manner than that which they had used before. This fact being confirmed, the Chilean Government could have taken drastic measures against the priests according to the manifest statements of the Cilean Penal Code; but taking into consideration their priestly character, preferred to grant some time in which to leave the territory, thus treating them in the same manner as Foreign Ministers in the case of a break of international relations. The time having elapsed and seeing the behaviour of said pretended priests, the Government of Chile proceeded to carry out the intimation made to them in conformity with the general principles of International law, incorporated with the Chilean Legislation, which authorises the Government to drive out of the territory all foreigners who violate the laws and act against the dignity of the State.

III.

A few days ago, the representative of Peru at Santiago sent a communication to the Government of Chile informing him that he had received orders from his Government to return to Peru and protest against the measures taken in Tacna and Arica for driving out the Peruvian priests.

The Chilean Chargé d'Affaires at Lima, a few days before, had sent his resignation which was accepted.

Thus the diplomatic relationship of Chile with Peru was broken.

The responsibility of such a deplorable determination undoubtedly rests upon the Government of Peru, who has taken this measure just at the moment that Chile had proposed the most equitable and honest grounds for the carrying out of the plebiscite, to which proposal Peru does not give any answer but the withdrawal of her Legation at Santiago. .....

The expulsion of Peruvian priests who insisted upon exercising their parochial duties, refusing to solicit the constitutional license and who violated the laws and made attempts against the dignity of the State, was rather an incident of an administrative character and of very easy solution, since to remain in the national territory it would have been quite sufficient that those priests should respect the Constitution and laws of Chile, as is invariably done by other native and foreign priests.

CHAPTER II.

THE PROPAGANDA AGAINST CHILE IN PERU IN 1918.

1.

The perseverance with which we cultivate patriotism, not as a source of rivalry but to stimulate the continued improvement of our motherland, is well known.

Chile renders to the heroes who sacrificed their lives for our independance and to consolidate our position on the Continent, the tribute of respect and reverence they are entitled to.

On the 2nd of November, on the occasion of the 40th anniversary of the fall of Pisagua a great popular meeting was held in Iquique to honour the memory of the victorious army.

In this meeting the Government was respectfully requested to settle definitely our questions with Peru, thus procuring the definite annexation of Tacna and Arica, in accordance with the rights granted us by the Treaty of Ancon.

This popular petition will not seem extemporaneous to those who know that Peru has carried on for some time a campaign of vituperation against Chile, propaganda whose origin is to be found in the shifting requirements of the internal struggles of this unfortunate country, as well as in certain sentiments, which I prefer not to specify, caused by the respectful deference that the Allied Powers have shown us in spite of our neutrality and by the significant presentation by His Britannic Majesty's Government to Chile of 5 submarines and 50 aeroplanes in the course of the war.

The Peruvian Government has made no careful selection of its Consuls in Chile, specially so in the port of Iquique, having assigned to this post persons who have periodically caused trouble and originated difficulties.

The Peruvian functionary in Iquique transmited to his Government an inexact version of the events on the 2nd of November. This brought about a recrudescence of the anti-Chilean agitation in Peru which led to the unwarranted attack on the Chilean Consuls in Paita and Trujillo.

The official account of these occurrences has been transmitted to me in a telegram received at this Legation on the 11th day of November

" Chilean Minister, Tokyo.—On the occasion of the anniversary of the capture of Pisagua a vast meeting took place on the 2nd of November in Iquique in which protest was made for the insidious campaign carried on by Peru against Chile and demanding the definite annexation of Tacna and Arica. The meeting was held in perfect order without giving the slightest cause for complaint. The Peruvian Consul in Iquique, senor Llosa, notwithstanding cabled his Government, in-

forming it of imaginary events that had not occurred. This false information was sufficient cause for the organisation of street disturbances in Paita and Trujillo terminating in assaults upon our Consulates. The Government of Peru has proffered explanation which have not yet been accepted by our Government.—Chilean Minister of Foreign Affairs."

Up to this moment, there appears only one Peruvian official rashly and injudiciously proceeding to provoke acts of aggression against Chili.

When I received the above mentioned cable I cherished the hope that these events were the outcome of the effort of agitators in Peru which cause Chile so much harm in that country, almost the only one of the South American Republics that has not reached the full consciousness of democracy or the superiority of a political organisation respected by the rulers.

The Chilean Government took every precaution to avoid the repetition of acts that might give rise to complications. On the 17th of November this Legation received a cable from our Foreign Office intimating that the Chilean Consuls in Peru had been instructed to leave that country should circumstances require it.

The aggression committed against the persons of the Consuls of Chile in Paita and Trujillo incited public opinion in Chile to voice its energetic protests against such an attitude.

Another meeting was held in Iquique on the 23rd day of November arousing the liveliest enthusiasm. The complaints for the treatment received by our Consuls reaching such a pitch that they tended to degenerate in disorder. The authorities in Iquique took immediate and energetic measures to suppress any unseemly or excessive manifestations and to protect the person of the Peruvian Consul, Mr. Llosa, whose falsified informations had produced the disturbances.

Mr. Llosa, without previously notifying the authorities and following the advice of his friends, went on board a ship anchored in the port of Iquique.

The official version of this event as transmitted by our Foreign Office in a telegram received in Tokyo on the 27th of November, is:

"Chilean Minister, Tokyo—In meeting held in Iquique on the 23rd, the energy of the authorities and military command prevented the popular protests taking disorderly proportions. The person of the Consul of Peru was at all times protected by the authorities. This functionary's friends advised him to go on board, which he did without duly notifying the authorities.—Luis Barlos Borgoño, Minister of Foreign Affairs."

The Peruvian Consul who had brought about these difficulties and who enjoyed the protection of our authorities actually fled from Iquique and in doing so still sent further falsified information tending to aggravate the situation until it reached the extent which I now proceed to relate.

The Government of Peru, accepting the falsified information of a functionary who ought to have deserved its censure instead of its support, sent to the Chilean Foreign Office the following intemperate telegram:

"Chilean Minister for Foreign Affairs.—Santiago.—Under the most painful impression for the unprecedented outrage to which the Peruvian Consul has been a victim in Iquique, expelled by the naval and political authorities of that city, I formulate the most energetic protest

for such an occurrence in the name of my Government who has ordered the retirement of its Consular functionaries from Chile where they are not granted the proper guaranties.—Francisco Tudela, Minister for Foreign Affairs of Peru."

However much we wish to find in the acts of the Peruvian Consul only the motives of an excited and over-zealous official; however great our desire to believe that he acted without the previous acquiescence of his hierarchic superior, it is impossible for me to accept that interpretation, given the unconditonal support that the above mentioned Consul found in the Ministry for Foreign Affairs in Peru; support which dictated the telegram that I have copied. This telegram is couched in so immoderate a language, so eminently unsuitable that, if you will forgive the expression, it transcends the limits of audacity.

The Foreign Office of Peru, which had given explanations for the attacks on the Consuls at Paita and Trujillo,—this same Government which failed to give guaranties to the Chilean Consuls--sent to the Government of Chile an improper protest, founded on absolutely false facts, pretexting attacks by the Chilean populace in Iquique on the Peruvian Consul, who was, it is clearly established, at all times under the protection of the Chilean authorities and who fled from his abode without giving any notice of his determination to the above mentioned authorities.

Our Foreign Office, inspired by its traditional sincerity and culture—answered the Peruvian Government by the following telegram, a copy of which was received by this Legation the 29th of November:—

"Peruvian Minister for Foreign Affairs in Lima:—I greatly deplore the erroneous information which has induced the Government of Peru to attribute to the naval and political authorities of Iquique a failure to do their duty in the occurrences of the 23rd, failure that does not exist and does not appear in any antecedent.

"The Peruvian Consul agreed with his friends to go on board and went there without the knowledge of the authorities. I peremptorily deny unjustified imputation of supporting mob."

"In the public meeting there might have been marked excitement caused by the previous attacks on the Chilean Consulates in Peru, attacks caused by the telegraphic transmission of inexact news.

"This proceeding induced my Government to call on the Consul General for Peru in Valparaiso and ask that the Lettres Patentes of the Peruvian Consul in Iquique be cancelled. I regret I had no leisure to do so before the 23rd.

"The Consuls of Peru in Chile enjoy all the guarantees accorded to citizens.

"Antecedents demonstrate that the protest of the Peruvian Government is manifestly unjust.—Luis Barros Borgono, Minister for Foreign Affairs of Chile."

The Minister for Foreign Affairs of Chili in his answer to the Peruvian Foreign Office did not condescend to make use of the violent and inconvenient tone adopted by the Peruvian Minister in his protest, —protest which the actual facts have proved groundless, inspired solely by motives of anger which would seem premeditated were not such a hypothesis inconceivable within the sincerity and correctness due to the responsibility of Government.

In a telegram of the 30th of November the Minister for Foriegn Affairs informs me that in Chile public opinion is calm

and with special satisfaction His Excellency transmits to me some resolutions arrived at by the Foreign Consuls in Chile.

The Consular body in Tacna and Arica assembled in special sitting approved the following resolution:

"The resident Consuls in Tacna and Arica declare that the Chilean authorities of the province have strictly and honourably fulfilled their duties watching over the Municipal and other public services correctly and that they give every guarantees to persons and the interests of every nationality."

Simultaneously the Consular Body in Iquique, according to a telegram from the Chilean Foreign Office received at this Legation on November the 30th, assembled to consider a letter from the Peruvian Consul in which he declares that he was forced and constrained to leave Iquique and to go on board a ship.

The Vice-Consul of France, Mr. Lorrain, conveyed the Peruvian Consul's communication to the Governor of Iquique establishing the fact that the authorities were not a party to the events which caused the Peruvian Consul's complaints and were in no way responsible for them. ....

The Governor of Iquique in his answer to the Consular Body proved that he gave the Consul of Peru at all times on shore and on board, every help and every protection and adds that he could have returned to his abode in perfect comfort and safety accompanied by the Vice-Consul of France

The agitation brought about by the Consul of Peru in Iquique and the results in Peru has not had the same proportions and importance among the residents in other parts of the country, who attributing to the acts of the above mentioned official their just value, have hastened to render to the Chilean authorities a tribute of respect.

Of these testimonials one from the Consul-General of Peru in Valparaiso is of considerable importance as can be judged from this cable which I received lately:

"Chilean Minister in Tokyo.--The Consul-General of Peru embarked yesterday at Valparaiso surrounded by an atmosphere of the greatest calm. He was accompanied on board by the political and naval authorities.

"He told the press representatives that he was leaving under instructions from his Government, which he had not influenced; that he had always seen with satisfaction the deference shown to his fellow countrymen, who had never taken to him any complaints.

"'Personally, I have no cause for dissatisfaction,' added the Consul-General.—Luis Barros Borgono, Minister for Foreign Affairs of Chile."

Such is the present state of affairs in a situation that was brought about by the falsified information transmitted by a Consul of Peru and the outcome of which has been the recall of the Peruvian Consuls in Chile and the instructions given to our Consuls in Peru to return to Chile.

Some eight years ago, under similar circumstances, the Peruvian Government recalled its representatives from Chile and broke off diplomatic relations, just as a harmonious solution sought for the accomplishment of the stipulations of the Treaty of 1883 which affected only matters of form.

During this period of interrupted relations, there were those who inspired by the most disinterested and highest motives of patriotism, worked unceasingly to bring about an approximation.

This was one of the points in the program of his Excellency the President of Chile.

This effort tending to reach a final solution seemed close upon a successful realisation, as was made manifest by the Peruvian Plenipotentiaries to Brazil and Argentine at the conferences held in Santiago at the Foreign Office in the month of November 1917.

The cordiality of these conferences led the President of Chile to hint on June 1st, 1918, at the possibility of an early resumption of diplomatic relations in his speech at the opening of Parliament.

The Government and the Chilean people cherished the hope that this year would witness the celebration of the Protocol prescribed by the Treaty of 1883.

It is with a very real sorrow that they have beheld that this year, which ought to have been that of peace, marks a new estrangement caused by the intrigues of some political circles in Peru, circles interested in keeping in the foreground this question of mistaken patriotism so that the problems of democratic organisation should be superseded and stifled for the satisfaction of their personal ambitions

Chile has reached a happy solution in its problems with Argentine and Bolivia and we have never carried international questions up to the field of political differences. Honesty in International dealings forbids that the peace of neighbouring countries should be disturbed by internal struggles and domestic brawls.

Unfortunately some groups in Peru have not always been inspired by these considerations.

Chile will not depart from its traditions of confraternity and cooperation with the American Republics, nor will she fail to maintain every one of all her rights

II.

The events above referred to ended in adding to the prestige of our Government.

The Chilean Minister of Foreign Affairs, in a telegram sent to this Legation on December 6th, says:

"No inconvenience whatever attended the departure of the Peruvian Consul. The Chilean authorities were particularly satisfied when they were assured by the Peruvian Consul at Antofagasta that he had always met with a cordial reception in Chile and that he was thankful for the kind attention paid by the Chileans to Peruvian subjects, none of whom ever made a complaint to his Consulate regarding his treatment by Chileans. This considerate behaviour on the part of the Chilean people offers a striking contrast with the unkind attitude assumed by Peruvians towards the Chilean Consuls at Salaverry and Chicla-yo, who were forcibly carried on board the steamer Guatemala."

The Peruvian Consul at Iquique, who fled from the place of his appointment by the steamer Palena, was disposed from the first to represent himself as having been ill-treated by the Chilean Authorities. When Consul Llosa and his companion came on board they had no money to pay their passages, and on being asked by Captain Mattias to pay, they wrote a certificate, which, according to a telegram from the Chilean Foreign Office, was as follows:

"I the Peruvian Consul at Iquique, hereby certify that the Purser of the Chilean steamer Palena handed to me two tickets, one for me

and the other for señor Mendizabal. These tickets have not been paid for because we were forcibly carried on board by the troops acting under instructions from the Iquique authorities. We were not allowed to go ashore by the naval authorities and the Chilean troops who took us in their custody. The Captain, the purser and passengers of the steamer will testify to the correctness of this statement."—(signed) Santiago Llosa.

The Chilean Government in the above mentioned telegram tells me that the Chilean authorities whom the Peruvian Consul accuses of having carried him on board by force were at that hour at the Te Deum to celebrate peace. Moreover, the fact has been ascertained that the Captain of the steamer, who knew the statement made by the Peruvian Consul to be untrue, refused to receive the above mentioned certificate. The Captain has made the following declaration:

"I emphatically declare that the statement made by the Peruvian Consul in the certificate is not based upon facts. I did not observe that Consul Llosa came on board under the escort of naval or military men. Señor Llosa came on board with his friends. According to the chief steward they owe to the steamer six tiffins"

Thus it will be seen that the false statement made by Consul Llosa was a device to throw the whole blame on the shoulders of the Chilean authorities with a view to making them pay his passage. In reply to an inquiry made by the Captain to Lockett Brothers, an English firm and the Agents of the steamer at Iquique, they wrote the following letter, which was transmitted to me by the Chilean Minister of Foreign Affairs:

"To the Captain of the Palena:

"Messrs. Llosa and Mendizabal were not carried on board by the Chilean authorities. They came on board accompanied by many friends with whom they tiffined.—(signed) Lockett Brothers."

These documents written by respectable persons testify most eloquently to the false nature of the information given by Consul Llosa, which was unfortunately readily accepted by the Peruvian Government as truth. There is no doubt that when a better judgement prevails the Peruvian Government will clearly see in the statement submitted by its Consul a serious injustice done to the Chilean authorities, and will like to remove it from its archives.

The Chilean Government and people kept quiet during the agitation that was going on among the Peruvians in their excitement over international politics. So far from lodging a protest with the Peruvian Government against its deplorable misconduct Chile continued to take all necessary measures to afford all kinds of guarantees to the Peruvian Consuls. Meanwhile false information was being disseminated by Peruvians that Chile had mobilised her Army and Navy and that she had called out her reserves.

Chile regretted this state of affairs very sincerely but she hoped that a better counsel would prevail among the Peruvians Statemen and that they would come to pay attention to the promotion of cordial relations between their country and Chile, as, indeed, such was the attitude of the Chilean Authorities at all times.

It has always been obvious that the outbreak of war between the two countries is out of the question. The American Republics knew very well that Peru is no match for Chile, and did not listen to the

contention of Peru, who was bent upon imparting to the Tacna question undue importance.

Every possible means, fair and foul, has been utilised by the Peruvian propagandists to serve their malicious end. Their object was to turn a petty question arising from the Treaty of 1883 into a big American issue, and for the realisation of their scheme they set afloat various wild rumours. One of them was the canard alleging the conclusion of a secret alliance between Peru, Argentine and Bolivia against Chile, disseminated with the obvious object of calling for an intervention of the United States.

That this allegation regarding the conclusion of a secret alliance is a pure fabrication was testified by the noble declarations made by the Argentine and Bolivia representatives at Tokyo, who declared that their Governments had always pursued the policy of promoting the mutual progress of their countries in co-operation with the Chilean Government.

These are the documents:

Argentine Legation.—" The Argentine Government has entered into no secret treaties, either with Peru or with any other nation. The only treaties are those of friendship and commerce.

" The Government and the Argentine people maintain the most cordial relations with Chile and Peru and the American sentiment is well understood and returned with trustfulness, sincerity and friendship.

" I beg to rectify thus the information appearing in the Kokumin, under the title ' Diplomatic relations between Chile and Peru broken,' hoping that no false opinions will be propagated in Japan regarding the true situation as to the international relations of South American countries, among which the Argentine Republic is characterised by her spirit of justice and concord."—(signed) Albino Pugnalin.

Bolivan Legation.—" With regard to information published by the local press relating to a conflict between Chile and Peru, in which Bolivia would act with Argentine as an ally of Peru, the Bolivian Legation in Tokyo feels induced to rectify such information.

" Bolivia as a country of peaceful feelings, has maintained and maintains cordial relations of friendship with all South American countries and consequently there is no reason to suppose that she would change her international policy."

So far as the idea of intervention by the United States is concerned, it is quite absurd. It is well known that the U.S. Government has been acting on the principle of respecting the sovereignty of those nations of the American Continent who are living under sufficiently developed administrations, and that it has been making continuous endeavours to diffuse democratic ideas among the few nations of the Continent who still lack an adequate form of Government. In view of these principles of the U.S. Government it is inconceivable that that Government will intervene in such a local question as the Tacna-Arica problem. It is probably owing to these principles that the Washington Government decided not to dispatch a warship to Callao, as anti-Chilean propagandists have learned.

The following telegram from Washington embodies the official notice of non-interference: " Washington, December 7th.—It is officially announced from the War Department and the Navy Department that no American warships are on their way to Peru and have not been ordered there."

Commenting on this situation I must say that the United States has given continual proofs of her advocacy of these principles, and it may be noted that the relations between the Great Northern Republic and his sister Republics of the American Continent have been friendly. One notable instance where the United States manifested special appreciation of the position of Chile occurred during one of the revolutions in Peru, when Chile dispatched a warship to the port of Callao. This action on the part of the Chilean Government was recognised by the United States as necessary to protect Chilean interests and was quite justifiable.

As already noted, the representatives in Tokyo of Bolivia and Argentine denied the existence of a secret treaty between their countries against Chile, and the United States did not interfere in the settlement of the purely local question, in which the interests of no other countries than Chile and Peru are involved. It is clear that the rumours of an alliance between Peru, Argentine and Bolivia, and of an intervention of the United States were deliberately circulated by Peruvian propagandists who desired to convert the Tacna-Arica problem into one big American issue in the vain hope of enlisting the support of the United States and other countries for the Peruvian cause. Countries in their international life, like individuals in their private life, must walk along the road of truth, otherwise they will suffer severe punishment for their faults. It is therefore natural than the Peruvian Statesmen, by setting aside justice and looking after the selfish interest of their country exclusively, should have brought down upon their country the fate of isolation.

There are some more details about the anti-Chilean propaganda which my regard for truth and my patriotism compel me to relate.

Chile has been faithful to the rules of International Law which are the guarantees for the security of nations and declared her neutrality in the war, which she conscientiously observed. In order to compas her own selfish end the Peruvian Government is ready to go to any lengths, and thus has deliberately interpreted the neutrality of Chile in the light of germanophile feelings. This accusation is simply preposterous. In fact, Chile's neutrality has always been respected by all the Allied Powers, who knew that the freedom of the South Pacific Seas was ensured by the maintenance of neutrality by Chile. Such a grossly mistaken version of Chile's neutrality as is referred to appeared in a circular just published by the Peruvian Government.

It is evident that from the outset Peru has been actuated by the selfish motive of winning the sympathy of the winners of the war.

Chile on the other hand, has shaped her course from a loftier motive. It was not until Germans attempted to act illegitimately on September 14th that the Chilean Government, in order to fulfil its duties, proceeded to take under military control the German steamers interned in Chilean ports.

The Chilean Government is above shaping its international policy from motives of self-interest; it has made conscientious efforts during the war to observe all rules of right, but it is propable that if the war continued longer the taking of German steamers under Chilean military control might have led to a rupture of diplomatic relations between Chile and the Central Powers.

Having, as she has, always acted in strict accord with justice, the accusation of being Germanophile made by anti-Chilean propa-

gandists against her has produced a very painful impression upon her people, particularly because they know full well that although she broke off her relations with Germany Peru did little to impede German activities. The self-seeking attitude adopted by the Peruvian Government in this manner has resulted in plunging Peru into the position of isolation in which that country finds herself at present.

It is to be hoped that the truth regarding the unwarranted anti-Chilean propaganda, the resolutions adopted by the Consular Bodies at Tacna and Iquique testifying to the false information given out by Peruvian Consuls, the evidence given by some Peruvian Consuls regarding the kind treatment they always received at the hands of the Chileans, the solemn denials of the representatives in Tokyo of Argentine and Bolivia about the alleged conclusion of a secret alliance between their countries and Peru, and the decision taken by the U.S. Government not to interfere in the affair, will suggest to the Peruvian Statesmen the lines along which they should formulate their future policy, and the situation may be settled in a quiet and peaceful manner such as has constantly been desired by the Chilean Government.

III.

The Peruvian Department of Foreign Affairs has revived old practices which she has used from time to time to provoke incidents likely to disturb relations with Chile. One is to distribute widely and freely circulars in which an attempt is made to hold Chile responsible for the estrangement—a thing really the result of Peruvian politics.

One of these documents the Peruvian Minister of Foreign Affairs has ill-advisedly brought to light and it has called forth from the Chilean Foreign Office the dignified reproof contained in the subjoined telegram from the Foreign Minister to the Chilean Legation in Tokyo:

"Your Excellency can categorically deny any assertion made against Chile in the recent circular of the Foreign Affairs Department of Lima.

"This document states that acts of violence have been committed in Chile against Peruvians and against the Peruvian Consul in Iquique.

"In former communications I have informed Your Excellency that the only public meeting—that held on the 23rd of November and repressed without delay—was a direct consequence of the news of the scandalous acts directed against the Chilean Consulates in the North of Peru.

"Neither Consul Llosa and family nor any Peruvian suffered any abuse whatsoever and you may categorically deny any assertion contrary to this fact.

"In the matter of the expulsion of Consul Llosa and any participation of the Authorities therein the inexactitude of the allegation made is clearly demonstrated by the testimony of the Consular Body of Iquique, and by the judicial records thereanent.

"The Peruvian Minister for Foreign Affairs, Mr. Garcia, alleges persecution of Peruvians in Antofagasta. In this Province there are no more than one hundred Peruvians, and it is very satisfactory to me to let you know that all of them spontaneously telegraphed to the undersigned saying that at all times they enjoyed ample guarantees on the part of the Chilean Authorities.

"The Peruvian Minister for Foreign Affairs, referring to Tarapaca and Tacna, uses unhappy phraseology to denounce the supposed purpose of the Chilean Government to drive Peruvians out of these territories. The allegations are far from accurate for neither the Authorities nor the Central Government had any such intention and the well known liberty and freedom of communication in Chile have been abused by Peruvian agents to forward erroneous reports.

"As Your Excellency knows, work in the nitrate installations is confining and it is not easy for workmen to frequent the towns, and moreover due vigilance is exercised in such works. All this goes to prove the impossibility of the alleged personal attacks and street rioting.

"The Authorities of the Northern Provinces in accordance with the law concerning residence have applied to some Peruvians--all of them well known agitators—the necessary measures of vigilance and precaution set forth in that Law.

"In all only six Peruvians left Tacna Province, five of them declaring before so doing that they were going temporarily for commercial reasons and only one of them alleging that he was leaving Chile on account of the difficult situation in the Province.

"I call the attention of Your Excellency to the contradiction that there is in the present protest of the Peruvian Foreign Office against the measures of vigilance and precaution taken by the Chilean Authorities of the Northern Province towards well known agitators contrasted with the position that Peru has taken with Chile on different occasions, when she demanded the extrusion from our country of Peruvian politicians.

"As an instance of this external policy of Peru we can adduce a striking example when at the end of the year 1914 the Peruvian Foreign Office asked the Chilean Government for the extrusion from Tacna and Arica of the prominent Peruvian rulers ex-President Billinghurst and Dr. Durand. On this occasion the Peruvian Minister for Foreign Affairs cabled to the Chilean Government in the following terms: "Confident in the pursuance of a policy of friendship on the part of the Chilean Government, a policy well responded to in Peru, the Peruvian Foreign Office hopes that the Chilean Government will relieve the Peruvian Government of the embarrassment created by the residence of these conspirators in Tacna and Arica and prays the Chilean Government to extrude them and prevent continued abuse by them of Chilean hospitality."

"Chile in agreeing to this request declared that she did so inspired by feelings of friendship towards Peru.

"The Peruvian circular referring to the Province of Tarapaca takes advantage of the dispersion of some workers on the nitrate fields, due to a latent yet serious condition in the industry, to allege that the Chilean Government expelled Peruvian workers. The only means of subsistence in Tarapaca is in the nitrate work and the number of the population solely regulated by the demand for labour in nitrate production.

"The outbreak of war in Europe in 1914 brought about a crisis in the nitrate industry and the consequent exodus of workers caused to Chile enormous expense for transport to the south and for the maintenance of thousands of Chileans who were suddenly deprived of the only means of existence in the desert.

"In repatriating the Peruvian workers, Peru suffered in the same way but to a very small extent from this exodus.

"When the Nitrate Works were reopened we freely received the Peruvians returning to Chile drawn there by better wages. The Peruvian workers were welcomed, as always, in Chile, competition of foreign labour is admitted without reserve.

"A new nitrate crisis hangs over this Province at the end of the Great War but very far from 18,000 Peruvians—the number given by the Minister for Foreign Affairs—may have to face return to their country in case the crisis arises. The total of nitrate workers in Tarapaca is 30,000, of whom not more than 6,000 are Peruvians. Therefore Chile will have to assist and support a number four times greater than Peru in the probable event of a nitrate crisis.

"The economical situation of Tarapaca and Antofagasta has no relation whatever with Tacna and Arica, whose inhabitants are devoted to agriculture and industries suited to that region and are contentedly developing their own progress in a calm political situation based on stability of the Chilean Laws, and the fulfilment of the Treaty of Ancon.

"Finally, I reiterate to Your Excellency that Chile, as always, considers that the question of Tacna and Arica is bound up in a solemn Treaty and Chile remains loyal to the right and firm faith in the Treaties that are the fundamental Law between the Nations.

"LUIS BARROS BORGONO,

"MINISTER FOR FOREIGN AFFAIRS."

The high probity of this correct and categorical reply makes comment unnecessary.

In previous communiques we have set forth carefully the events prior and leading up to the rupture of relations with Chile systematically provoked by Peru. These statements are sufficient to make clear the correctness of Chilean procedure but it is necessary to keep in the full light of day the rights of Chile and the guarantees which she derives from the Treaty of Ancon.

CHAPTER III.

THE CHILEAN RIGHTS.

I

THE PROVINCE OF TACNA.

The territory of Tacna consists of the departments of Tarata, Tacna and Arica and lies to the extreme north of the Republic of Chile to which it was annexed by the Treaty of Peace and Friendship signed by the Republics of Chile and Peru on the 20th of October, 1883. The value of this province will be understood from the following data:

Area	233,000 sq. kilometres.
Population	47,000 inhabitants.

The area of this Province is less than 3% (three per cent.) of that of Chile, which fact enables one to form a true idea of its relative value.

It is well to notice that this territory contains only 56 sq. kilometres of irrigable land, of which only 40 sq. kilometres are under cultivation. Since the Chilean Government took over this Province it has carefully investigated every improvement that could tend to ameliorate the agricultural situation. Even were the irrigation programme completely carried out it would only add another 82 sq. kilometres of irrigable land, making then a total of 138 sq. kilometres; in other words a little over ½% (one half of one per cent.) of the total area of the Province.

If this amount be compared to that of this class of land in the remainder of the country, estimated at 40,000 sq. kilometres, it will be seen that its relative value is less than 1/3 per cent. (one third of one per cent.).

As for land capable of general cultivation, not taking into consideration whether it be irrigated or not, the Province of Tacna posesses 460 sq. kilometres, an amount equal to 2% (two per cent.) of its territory and again this represents only 1/10th % (one tenth of one per cent.) of this class of land in Chile. These facts show the small relative importance of the agricultual wealth of Tacna.

As far as the other extractive industries are concerned mention need only be made of copper and sulphur mining, the production of which in these last years is:

Production of Copper	130 tons.
Production of Sulphur	3,500 tons.
Production of Gold	9 kilos.
Production of Silver	2,900 kilos.

These various industries supply work to 150 labourers.

In order to appreciate the relative value of these minerals we quote the amounts of the general production of the country.

Copper	72,000 tons.
Sulphur	15,000 tons.
Gold	3,500 kilos.
Silver	36,000 kilos.

These facts show that the gold and copper mines in Tacna do not reach to one fifth of one per cent. of the total yield of the Republic of Chile.

The production of silver appears to be of greater relative importance but we must observe that it is of difficult extraction.

The Sulphur production of Tacna is a little over 20% (twenty per cent.) of the total yield of all the Chilean mines, but the solfataras discovered in Tarapaca offer advantages such that they tend to paralyse the extraction in Tacna.

This produce as is well known is not of vast importance because the Italian and Japanese mines throw into the market such a large tonnage that the Chilean producers find themselves compelled to restrict the output to maintain remunerative prices.

The Government of Chile has made careful investigations to estimate the mineral wealth of this province; the results were not satisfactory. In spite of this as there are some zones of certain value Chile has sought to protect them by means of special railway tariffs.

In view of the comparative scarcity of minerals, we cannot suppose that this province will ever develop many industries.

The capital invested in Tacna in factories of every description is	$ 2,015,000
The amount in Chile is	$434,000,000

Accordingly Tacna represents one fourth of one per cent. of the industrial activities of the country.

The factories in this province employ 207 men.

There is no need to add that under these conditions the commercial position of Tacna is unfavourable.

The following figures prove that this is so. In the last normal year before the war, that is to say in 1913 the foreign trade was as follows:

Imports	$2,232,733.00
Exports	979,867.00
Excess of Imports	1,252,866.00

The condition of international trade in Tacna is not more satisfactory.

These are the figures for 1913:

Tacna's purchases in the rest of the country amounted to	$6,023,590.00
Tacna's sales amounted to	3,459,920.00
Excess of purchases	2,563,670.00

The sum of these two balances $3,816,536.00 shows the annual deficit. Deficit which has to be made good by actual cash paid out by the Chilean Government, who maintains an administrative staff; educational establishments, a Board of Public Works, and a small military force.

The State derives from this province an income of only $530,000.00. All the above mentioned figures reveal the efforts of the Chilean Government to keep this poverty-stricken tract of land in the tide of progress reached by the rest of the country. This territory was taken over by Chile at the time of the settlement with Peru and Bolivia, as it formed a natural barrier and was necessary to maintain the peaceful possession of our northern desert provinces.

The former possessor, aware of the meagre resources of Tacna had made no effort to enhance its progress. In the railway programme proposed shortly before the war with Chile this region was not included, preference having been given to the railway line from Mollendo to Puno which crosses the province of Arequipa.

The inhabitants had to be satisfied with the mere promise of a railway which would run through the principal valley of Tacna to the Bolivian frontier.

This was the forlorn state in which Tacna found herself with her 25,000 inhabitants when the so-called war of the Pacific was declared.

Its capital had no importance beyond that of being a centre for political refugees from Bolivia when that country was trying to find her political equilibrium.

II.

THE SPECIAL IMPORTANCE OF TACNA.

The foregoing description proves that Chili in demanding the definite annexation of Tacna and Arica did not seek the acquisition of a wealthy region. And it is necessary to investigate which was the reason which compelled Chile to make the annexation of this territory a sine-qua-non condition for the signing of peace.

A brief historical sketch will give us the solution.

On account of special circumstances, even at the time when Chile was a colony of Spain, she had developed a certain degree of democratic organisation. Chile was thus able to live peacefully under a constitution while her sister Republics were troubled by revolutions.

On account of these advantageous circumstances, Chile was able to help Peru gain her independence and arrange her internal affairs in the campaigns of 1820 and 1838. After this date the ruling powers in Chile applied themselves to the task of organising the progress of their own country; owing to its peculiar geographical formation this presented unusual difficulties.

Chile is a narrow strip of land which measures over 4,000 kilometres in length along the cost of the Pacific; it starts in a tropical desert and ends in the frozen territory of Cape Horn. The riches of Chile were indisputable; but their utilisation was an enterprise which demanded all the efforts of our race. The Chileans worked the mines in the north, and these were sustained by the products of the central agricultural region, in this way both procuring the profits which were to be invested in the development of the southern zone.

The inexplicable efforts of Spain to recover the colonial possessions in 1865 found Chile in the midst of these occupations.

Public opinion obliged the Government to safeguard the democratic institutions which had cost her so many struggles. Chile took upon herself the duty of resisting Spain and entered into offensive and defensive alliances with Peru, Bolivia and Ecuador. This Treaty was signed on the 5th of December 1865 between Chile and Peru; on the 20th of January 1866 by Chile and Ecuador, and on the 19th of March of the same year by Chile and Bollvia.

The position of Chile in this conflict is clearly shown in the Treaty of alliance with Ecuador which was signed jointly by the Plenipotentiaries of Chile, Ecuador and Peru. This Treaty was based on the following considerations.

1st. The Government and People of Ecuador appreciate the Chilean cause as eminently American.

2nd. The common interests do not allow that Chile should find herself alone in the struggle without the co-operation of her sister Republics.

3rd. That the unjust aggression of Spain implies a menace to the honour, dignity and rights of South American Republics; that it is the duty of them all to join their strength and resources in defending the sovereignty and independence that they obtained together in the war for political emancipation."

As before stated Chile undertook the contest with Spain which was ended at the cost of great efforts; a Treaty of Truce was concluded under the auspices of our Foreign Office on the 11th day of April, 1871. Chile returned to peacetime occupations in perfect accord with her old allies, turning her special attention to the development of the mineral regions of the north where her interests were safeguarded by a Treaty signed by Bolivia and Chile in Sucre, on the 6th of August, 1874.

Article 4 of this Treaty provided for the exemption from certain taxes of Chilean industries, capital and persons established between 23° and 24° latitude south.

The Bolivian interpretation of this stiputation produced a breach with Chile; Peru pretexting her neutrality offered to act as mediator. Unfortunately, there was evidence of the existence of a secret Treaty of alliance between Peru and Bolivia against Chile, which had existed since 1873, and we found ourselves dragged into a war against these two countries.

The force of public opinion in Chile through Peruvian machinations raised the country to a military footing; and, notwithstanding she was not prepared for war, her army occupied Antofagasta, Tarapaca, Tacna and part of Moquefia in the first half of the year 1880. After these victories, Chile was ready and willing to sign peace as the country had carried on the war at the cost of great sacrifices.

Peace conferences were held on the United States of North America battleship *Lackawana.*

The principal conditions were to have been the definite and unconditional cession of the Province of Tarapaca and the possession of the Province of Tacna for a period of 15 years at the end of which this Province should be returned to Peru, who would engage itself not to build works of military character. Chile exacted these measures to ensure the safety of its territory and to avoid being again traitorously attacked by a country it had helped at great expense to herself. In spite of the efforts of friendly nations, the conferences failed to achieve a satisfactory result; the war continued and came to an end with the occupation of Lima by the victorious Chilean Army in 1881.

Peace conferences were renewed. Chile attended, willing to put a speedy end to hostilities, but determined to take every precaution to safeguard her peace and that of the South American Continent.

The war had taken unthought of proportions; and the development of the military operations made it manifest that the protection of the northern desert of Chile required a natural barrier.

The propositions advanced in the conferences of the *Lackawana* to make the valley of Camarones the new frontier, the possession of Tacna by Chile for 15 years and the permanent disarming of this Province, were not considered by Chile as sufficient guarantee of safety.

The military operations of war proved that she was correct and this will readily be understood from the following considerations. From North to South, the agricultural zone of south Pacific countries becomes gradually poorer, acquiring in Tacna the condition of meagreness we have already described and it can be said that the desert starts at the valley of Camarones situated at 150 kilometres to the south of the existent Chilean-Peruvian frontier.

The desert stretches from Camarones to Copiapo, a valley situated 1,300 kilometres to the south. The agricultural region actually begins at Coquimbo, that is to say 1,600 kilometres south of Camarones.

These relative positions, even were they based on the perpetual disarmament of Tacna, would leave the Peruvian Army 3 days march from our frontier and would place the Chilean Army destined to defend this frontier 1,600 kilometres away. The 3 days march of the Peruvian Army would be on fertile land and the 1,600 kilometres to be covered by the Chilean Army lay across desert land.

Under these circumstances the strategic problem offered but one solution: to establish at some point in the desert, at vast expense, a Chilean garrison and maintain a large naval force to keep it in contact with the rest of the country.

This solution involved the future welfare of Chile, whose success in the war became a mockery.

An agreement was sought that without damaging Peru's interests would ensure our tranquility and safety.

It was necessary to interpose between our northern desert and Peru an agricultural region capable of sustaining an adequate military force, seeking as far as possible a boundary that should correspond to a natural barrier.

Chile first proposed to take as boundary the valley of Locumba which would have left to the north the town of Moquegua, as centre for the Peruvian frontier, and to the south the city of Tacna, as a concentration point for the Chilean Army.

Between the two towns rise the mountains of the Andes, which inclining to the West, follow the valley of Sama, and form a natural barrier leaving only 70 kilometres of military frontier between the Cordillera and the sea.

The object of the territorial extension to the North of the river Sama was to avoid surprise attacks to this military frontier.

The Government of Chile sought in the definite annexation of the above mentioned territory a permanent safeguard for peace and for the South American equilibrium.

This was so explicitly held by the Chilean Government that it refused all propositions to diminish this safety frontier. Thus when Mr. Cornelius A. Logan, United States Minister in Santiago, simultaneously proposed to the Chilean Foreign Office and to Don Francisco Garcia Calderon, titulary President of Peru, the division of this territory, leaving to Chile the Department of Arica, our Government repulsed all idea of division and insisted on the cession or sale of Tacna.

Thus, for reasons of peace and continental balance, Chile exacted from the defeated foe the cession of a Province that offered no financial advantages.

In view of the opposition displayed by the losers in this war and to make things easier for them, the Chilean Government relinquished its intention of insisting on the boundary line running through the valley of Locumba and accepted the river Sama as boundary.

In the course of the negotiations, though its attitude was conciliatory, the Chilean Government did not depart from the preponderant idea of forming a safe frontier. In setting the final terms of the Treaty of Peace she took every precaution to ensure the annexation of Tacna and Arica.

III.

THE TREATY OF ANCON AND THE CHILEAN RIGHTS.

The Treaty of Peace and Friendship was signed by the Republics of Chile and Peru in Ancon on the 20th day of October, 1883, and ratified on the 21st day of May, 1884.

This document contains the following articles establishing territorial annexations:

"Article II.—The Republic of Peru cedes to the Republic of Chile for ever and unconditionally the Territory of the littoral Province of Tarapaca, the boundaries of which are:
On the North the Valley and River of Camarones,
On the South the Valley and River of Loa,
On the East the Republic of Bolivia,
On the West the Pacific Ocean.

"Article III.—The territory of the Provinces of Tacna and Arica whose limits are:
On the North the River Sama from its source in the mountains on the Bolivian Border to the sea,
On the South the Valley and River of Camarones,
On the East the Republic of Bolivia,
On the West the Pacific Ocean;
shall continue in the possession of Chile and subject to the legislation and to the Chilean authorities for a term of 10 years, counting from the satisfaction of the Treaty.
When this term expires, a plebiscite by popular vote will decide if the Territory is to remain definitely under the Sovereignty of Chile or if it is to be returned to Peru.
The country to which the Province of Tacna is definitely annexed shall pay to the other the sum of $10,000,000, Chilean Silver currency or Peruvian Soles of the same alloy and weight as those.
A special protocol considered as an integrating part of this Treaty will establish the form in which the plebiscite will take place and the time at the end of which the $10,000,000, must be paid by the Country that keeps the Provinces of Tacna and Arica."

The Republic of Chile acquired by virtue of these clauses the full sovereignty of the Province of Tarapaca and that of the Territory of Tacna and Africa, with the stipulation in regard to them of holding the plebiscite after the expiration of a term of 10 years. It is well to notice that although a plebiscite is spoken of as a condition, in reality the cession of this territory had a definite character as can be seen from other clauses of the Treaty that confirms this purpose.

Article IV of the Treaty of Ancon states that the product of the guano-beds that might be discovered in the future in the territories included in this cession are to be the sole property of the Chilean Government. This article makes no distinction whatever between the Pro-

vinces of Tacna and Arica and Tarapaca; both coming under the heading of ceded territories.

This could not be otherwise since the real purpose of the Treaty of Ancon was the definite annexation of both these territories to the Republic of Chile.

The fact that this cession was meant to be definitive is further proved by the strong guarantees given to the Government of Chile by the Government of Peru with regard to the guano-beds that might be discovered in these lands

There is not the smallest doubt that if the Peruvian Government had held any hopes of eventually recovering the Province of Tacna it would have taken good care to safeguard its own rights of possession and avoid the difficulties that would ensue from the possession by another country of this source of wealth.

Article VIII. contributes an additional proof of this. It refers to certain pecuniary obligations and it states explicitly that outside of the obligations therein mentioned, the Chilean Government does not acknowledge any other credits or responsibilities affecting the provinces acquired by the Treaty. This is yet another point of the Treaty of Ancon that does not establish any difference whatsoever between Tacna and Tarapaca, fully confirming the idea of definite acquisition by Chile.

The Chilean people came to the colours only to fight for their own independence and to ensure the liberty of the neighbouring Republics; Chile had always loved peace and she had not any efficient war organisation when she found herself dragged into an unequal struggle with two nations, struggle prepared and conducted by Peru at that time well equipped and wealthy. Obedient to peaceful principles, now that she found herself victorious, Chile spared no efforts to resolve by Treaty all the questions that could possibly arise and secure for herself a future of real peace with Peru, a neighbouring State called to perform with her a common programme of progress.

If the Treaty of 1883 be carefully studied, it will be seen with what wealth of detail Chile settled all its problems. All that was required to establish the Sovereignty of Chile over the annexed provinces was set forth clearly, minutely and with great precision in the Treaty.

The negotiators never contemplated the possibility of the retrocession of Tacna and Arica to Peru or of Peru some day claiming the restoration of this territory and, therefore, they did not deem it necessary to add supplementary clauses to safeguard the frontier. Among these the principal ought to have been the disarming of Tacna which was considered a *sine-qua-non* condition for peace at the *Lackawanna* conferences; and yet this elementary condition was not even mentioned by the negotiators, who were so desirous of establishing permanent peace.

If this was not done it was simply because the basis of the negotiators contained in the letter and in the spirit of the Treaty of Ancon, was the cession of the territory of Tacna and Arica.

The history of the negotiations and the Treaty itself are a confirmation that Chile acquired the dominion of Tarapaca and Tacna with no further restriction than the plebiscite as regards Tacna and *in that Peru was allowed to interfere only as regards the form of its execution.*

The last paragraph of Article III. is quite explicit about this. Therefore, when the Government of Peru subscribed to the Treaty of 1883 she renounced explicitly the Sovereignty of Tacna and Arica which thus passed to the dominion of Chile.

The exercise of our Sovereignty has been constantly recognised by the Government of Peru in important official acts, even if in some of them she väguely hints at a possibility of recovering the lost Sovereignty.

Among the various declarations made by the Peruvian Government there is one of special importance. Article II. of the Treaty of Boundaries with Bolivia, ratified on January 30th, 1904, which states: "The High Contracting Parties shall proceed, in conformity with the stipulations of this Treaty, to the demarcation of the boundary line that separates the Bolivian Province of Carangas from the Provinces of Tacna and Arica,' *immediately after these Provinces revert to Peru.*"

We have thus twenty years after the signing of the Treaty a declaration of the greatest importance in which the Peruvian Government itself confirms that Chile is the actual Sovereign in Tacna. The right fully established, guaranteed by the Treaty of Ancon, received thus the most ample and solemn confirmation of the Peruvian Government.

The people and Government of Chile always gave the Treaty of Ancon the meaning we have explained; it is in accordance with the letter and the spirit of the Treaty: the Government and people of Peru had the same feeling about it and the putting off of the annexation by means of the plebiscite was considered as having no other object than turning down the terms of peace.

It was also understood thus by the foreign countries; for instance, Mr. Blain, Secretary of State of the United States of North America, said that *the stipulations of the Treaty of Ancon meant the loss to Peru of Tacna and Arica and Tarapaca and their definite annexation to Chile*

After having shown how things stand, let us now study the acts of Chile as Sovereign both as regards the welfare of the annexed territory and as regards the carrying out of the Plebiscite.

IV.

CHILEAN WORK IN TACNA.

From the first moments of the occupation the Government of Chile took the greatest interest in the Province acquired. Even before the Treaty of Ancon was signed the more urgent services were attended to, such as providing an adequate water supply and founding hospitals From the first the Chilean Administration, certain that the peace negotiations would give her the effective and permanent dominion of this territory, performed acts proper to the Sovereign.

The Chilean Authorities have been indefatigable in working out improvements beneficial to the inhabitants and considerable sums have been spent in the sanitation of the towns; Peru, on the other hand, had done next to nothing at the time of her Sovereignty.

Chile not only improved the material conditions, she has considered the intellectual requirements of the population and established 40 primary schools, two high schools and a commercial institute. More

than 4.000 students attend these various schools, that is to say 10 per cent. of the total population.

By means of increasing the well being and the instruction, our rulers in Chile have prepared the population of Tacna, almost abandoned by Peru, to receive the profits of the Chilean progressive programme.

In 1905 a bill was introduced in Congress to extend the benefits of national colonisation to the Province of Tacna.

This bill was passed in September 1909 and one of its principal clauses was the granting of monetary assistance to those who should undertake works of irrigation. At the same time, measures were taken to collect the waters from the Cordillera valleys to irrigate the department of Tacna as much as possible.

The initiative of the Chilean Government has not been limited to the above mentioned projects; it sought to place Tacna on the level of progress reached by the rest of the country.

In the Treaty of Peace with Bolivia, concluded on the 21st of March, 1905. Chile undertook to construct a railway from Arica to Alto de la Paz. Chile fulfilled her promises, and the railway was built, thus giving an outlet to the Bolivian products and at the same time facilitating the exploitation of the territory of Tacna itself.

The expenses to Chile, including construction and equipment of this railway line, which measures 490 kilometres and is in perfect order, was over £3,000,000.

Chilean policy has never departed from the old traditions of South American fraternity and solidarity. In settling with Bolivia the conflict originated in 1879, Chile bound herself out of her own free will and initiative to certain conditions whose fulfillment has greatly benefitted Bolivia.

Bolivia was not the only one to benefit by the Chilean policy of political fraternity and continental progress. Considering the war and ensuing difficulties as definitely settled by the Treaty of Ancon, Chile has extended the same benefits to Peru and has never taken reprisals for the hostile acts of the Peruvian Government.

Chile buys yearly from her northern neighbour for an amount over £1,000,000; and her sales in the same market are only £200,000; the balance corresponds to payments for unrefined sugar, made to the Peruvian producers who benefit by the differential tariffs established by Chile.

This must be explained.

The climate in Chile does not allow of the production of the sugar cane on a large scale; beetroot can be adequately cultivated. Over a quarter of a century ago, in order to stimulate this industry a bill was passed fixing an import tax of $37.50 per ton for unrefined sugar and of $90 per ton for sugar ready for consumption; the difference of $52.50 per ton was intended to protect the home product.

The economical conditions of the country, specially the high wages, have made the cultivation of this product impossible and the protective tariff has secured no other benefit than the income derived from the Customs duties.

The Government has been repeatedly requested to alter the tax on an article of primary necessity. This petition has been constantly refused on the ground that the Government wished to avoid taking a step

that would damage the interests of Peruvian industry which provides 90 per cent. of the sugar consumed in Chile.

Soon after the conclusion of the Treaty between Chile and Bolivia, referred to above, negotiations were opened with Peru: the Chilean Foreign Office sought to adopt measures of co-operation and mutual progress, among which can be mentioned: a scale of Custom duties for mutual protection, the encouragement of steamship lines and the construction of a new railway to unite the Chilean and Peruvian railway systems, without losing sight of the political problems depending on the holding of the plebiscite.

The Chilean Government's overtures were disregarded as will be shown later; and Chile was unable to join with Peru as she had done with Bolivia in a united effort towards general progress.

Undismayed by this failure the Government of Chile maintained its determination to effect the work of improvement that its duty as Sovereign requires in Tacna.

This district, abandoned by Peru when she was the Sovereign, has to day all the necessary elements for its material and intellectual welfare. As an instance of its development under the Chilean regime we may state that the population has been doubled since the annexation.

It is necessary to observe that with regard to the right to vote, and this refers to men over 21 years of age able to read and write, the classification of the inhabitants, according to a recent census, is as follows:

Chileans	4,100
Peruvians	1,980
Foreigners	600

These facts shows the preponderance of the Chilean element, a direct result of the efforts towards progress and welfare made by the new Sovereign. As has been shown the Republic of Chile obtained by the Treaty of Ancon the Sovereignty of Tacna and she has constantly exercised her Sovereignty for the indisputable good of that territory.

We now proceed to analyse what concerns the taking of the plebiscite; this has been the source of unpleasant discussions between the Chilean and Peruvian Foreign Offices.

V.

THE CHARACTERISTICS OF THE PLEBISCITE.

The Chilean right to the Sovereignty of Tacna emanates from the Treaty with Peru of the 20th of October 1883; this right is actual, plenary but not definitive. In saying definitive we refer to the right only, because Sovereignty is de facto definitive; on the other hand Peru has a right that is merely eventually protected by a plebiscitary act and in that act Peru can only intervene in the form of its execution.

All the articles of the Treaty of 1883 have been fulfilled; except the stipulations contained in the last paragraph of Article III. and concerning which no agreement has yet been reached by the two Governments towards a final settlement.

The stipulations of international agreements are of two kinds,—essential or secondary. The former, needless to say, must neces-

sarily be fulfilled; the latter, if judged by a strictly juridical criterion, must be considered extinct when it is evident that the parties disagree.

The plebiscite agreed upon on the 20th of October, 1883, was a secondary condition since, as we have shown, the negotiations in themselves and the stipulations of the Treaty of Ancon established that the Sovereignty acquired by Chile over the territory of Tacna should be definitive.

The Plebiscite was a mere formula to soften down the terms of peace regarding the annexations; so much so that Peru had no other right concerning it than intervention in the form of its execution.

The negotiators in the Treaty of Peace did not propose to use the plebiscite in any new way. They only intended to follow the historical precedents of this institution of international law and practice.

All the plebiscites agreed upon prior to the Treaty of Ancon are characterised by two principal conditions, to wit:

I.—The plebiscitary vote is taken by the representatives of the Sovereign.

II.—Only the subjects of the Sovereign may vote.

The Treaty of 1883 which established the Sovereignty of Chile in Tacna and Arica confirms the purpose of adhering to the established practice of plebiscites.

Let us now see how these popular verdicts have been taken.

On the 24th of March, 1860, the Treaty of Turin, signed by the Emperor of the French and the King of Sardinia, established a plebiscite which should decide the fate of Nice and Savoy. The plebiscitary act was carried into effect under the direction of the Sardinian Government, the Sovereign, and only the subjects of the Sovereign were called to vote. The Treaty stipulated that the signatory States should agree as to the manner of taking this plebiscite. As no agreement was reached, this plebiscite was carried out under the sole authority of the actual Sovereign.

Austria and Italy, in the Treaty of Vienna, signed on the 3rd of October, 1866, agreed to cede to France the Lombard-Venetian Kingdom and Napoleon III. declared that he accepted this cession in order to transfer this kingdom to Italy, if such were the wish of the inhabitants expressed in a Plebiscite.

When this Treaty was promulgated, the Sovereignty of the King of Italy was immediately recognised and the plebiscitary act was carried out according to the regulations which he dictated. It is worthy of notice that Article V. of the said regulations conferred the right to vote only on Italians of over 21 years of age.

The Treaty of Paris, of the 10th of August, 1877, signed between France and Sweden stipulated that the destiny of the Island of Saint Barthelemy occupied by Sweden should depend on the result of a plebiscite to be carried out under the direction of the Swedish Governor and it confirmed the right to vote exclusively to Swedish subjects. This was clearly established by the Swedish Foreign Office whose instructions to its Legation in Paris were concluded in the following terms: "It is well understood that only Swedish subjects shall vote."

We might quote the case of the Treaty of Prague, of the 23rd of August, 1866, concerning the Dutchies of Schleswig and Holstein; but this plebiscitary act was not carried into effect because the negotiators modified the Treaty, fearing that the Plebiscite might not result in the solution agreed upon and that it might be thought that there existed a secret intention of not fulfilling the compact.

The historical precedents, as has been seen, are precise and consistent: the Sovereign directs the Plebiscite and only its subjects have the right to vote.

We copy literally the text of the Treaty of Paris of 1877: "This retrocession is made under the express reserve of the consentment of the inhabitants of Saint Barthelemy and will be carried out in agreement with the conditions enumerated in a special protocol which is included in this Treaty and is to be considered an integrating part of it." .....

As this clause of the Treaty of Paris is practically identical to Article III. of the Treaty of Ancon, it will be seen that the historical precedents regarding plebiscites were taken into consideration by the Chilean and Peruvian negotiators. The Treaty of Ancon says: "A special protocol to be considered as an integrating part of this Treaty will establish the form in which the Plebiscite will be taken."

The negotiators of the Treaty of Ancon thus came to an arrangement which was to guarantee the safety of Chile's northern frontier, which was the fundamental condition for the signing of Peace, without which, of course, no permanent tranquillity was possible.

Chile is the Sovereign in Tacna and as such must direct the plebiscite; the Chilean Sovereignty confers the right to vote only to Chilean subjects.

Under these circumstances even if the greater part of the population were Peruvian, the right of Chile would still be absolutely safeguarded.

It would not be necessary for Chile to make efforts to obtain the good will of the inhabitants.

The negotiators did not want to excite the passions of the population. They realised that they could not count upon co-operation, knowing that it would be foolhardy to presume upon the absence of patriotic sentiments of the old inhabitants of Tacna. But they also knew that if the Plebiscite were taken in accordance with historical precedents a handful of Chileans in Tacna at the time of the Plebiscite would be sufficient to ensure the result they wished for.

If the idea had not been this, it would mean that a useless and absurd clause had been included in the Treaty; for if the Peruvians were to have the vote, the Chileans, though the conquerors, would be promising to give back the territory which was the object of the negotiators.

The subsequent agreement regarding the form of the Plebiscite was simply a matter of words, a secondary condition which need not be taken into account (as in the Treaty of Turin), if the contracting parties could not come to an agreement.

Chile, who in all her acts has always adhered strictly to the rules of international law, has not held the Plebiscite by and for herself, as she well could have done but rather she wishes to fulfil strictly the secondary condition of the Treaty of 1883 and she has tried time and time again to come to an understanding with Peru; unfortunately, the Peruvian Foreign Office has never shown any serious intention to facilitate matters.

Let us now make a short sketch of these negotiations.

VI.

NEGOTIATIONS REGARDING THE PLEBISCITE.

The term of 10 years named in the Treaty of Ancon is not to be taken as meaning that the Plebiscite must be held exactly after 10 years but that the Plebiscite is not to be held before. If the intention had been to name the exact date, a supplementary clause would, of course, have been introduced indicating what was to be done in case of non-fulfilment of the obligation. As to this everybody is agreed.

Before the 10 years had expired, the Chilean Government sought to come to an understanding with the Peruvian Government.

On the 19th of June 1893, the Peruvian Minister for Foreign Affairs made an attempt to obtain from Chile the Province of Tacna in order that the Peruvian authorities should carry out the Plebiscite. This preposterous request was immediately refused. The Peruvian Foreign Office then proposed, on June 30th, 1893, as a new solution, that the disputed territory be placed under the authority of a third Power which should carry out the Plebiscite. As this second proposal, like the first, did not conform to the established principle of Chilean Sovereignty, it was likewise rejected.

The Peruvian Government seeing that these proposals would never meet with the approval of Chile tried a new expedient to induce that country to abandon her Sovereignty over Tacna: on the 19th August 1893, she proposed that the Plebiscite should be presided over by Peru in some parts and by Chile in others.

Chile could not renounce the Sovereignty of any one part of the annexed territory and the proposal was again rejected. The Peruvian Foreign Office undismayed by these rebuffs and pursuing its deliberate intention of plotting against the Chilean right to the Sovereignty of Tacna, proposed, on the 7th of December 1893, that, as a starting point for the negotiations, the question of which country was the actual Sovereign at the end of the 10 years, should be submitted to arbitration.

It was not lawful for the Chilean Government to submit to arbitration a right emanating from a Treaty whose stipulations left no room for doubt.

The Foreign Office in Santiago, without abandoning its rights, offered to give the Peruvian Government all the guarantees they could wish for, so much so that the Peruvian Government went so far as to request the intervention of Peruvian Officials in the Plebiscite.

Negotiations were continued, in spite of various difficulties, and they resulted in the Peruvian Government proposing, on the 23rd of February, 1894, that the people to vote in the plebiscite should be the people born in Tacna, the Chileans and the other foreign residents.

The Chilean Foreign Office was ready to accept the general idea, though it meant a limitation of the rights the Treaty gave to Chile.

Chile would have made any sacrifice in order to bring about a condition of harmony among the nations of the Pacific coast of South America.

The Peruvian Foreign Office, in the course of these negotiations, again put forward its demand for arbitration. Chilean public opinion was opposed to this for though every one was willing to make conces-

sions in order to reach a definite solution nevertheless a previous violation of our Sovereignty could not be tolerated.

The Peruvian Government pursued in these machinations no other objective than to snatch away from Chile the advantages legitimately acquired by its victories in a war inflicted on her by Peru; these advantages meant to Chile the guarantee of her tranquillity and peace.

The Government of Peru has not sought the fulfilment of the Treaty of Ancon nor endeavoured to work out the complementary protocol therein mentioned. It seeks to make a new Treaty which would destroy the former one.

The negotiation came to an end and diplomatic relations were broken off. The Peruvian Foreign Office announced the interruption of diplomatic relations with Chile to the Foreign Countries in 1901 through a circular stating that, in its idea, only Peruvian subjects residing in the Province of Tacna should have the right to vote in the Plebiscite.

The obtinate Insistance which the Government of Peru has displayed in trying to obtain Chile's consent to protocols which meant the annulment of the Treaty of Ancon was the cause of the failure of the negotiations carried on between 1893 and 1900.

In order to facilitate matters and reach an agreement, the Chilean Foreign office had consented to give up the greater part of its rights and was willing to give the vote to every one, Chileans, Peruvians and foreigners; but Peru insisted on the exclusive right of Peruvians to take part in the Plebiscite, thus repudiating the agreement she had signed in 1894.

Chile, who had satisfactorily settled all the outstanding questions resulting from the lack of precision in the definition of the patrimonial rights when the new South American Republics developed from the Spanish colonies; Chile who sought her welfare and prosperity only in peace and work, made a new effort to resume diplomatic relations with Peru. To this end the Minister for Foreign Affairs in Santiago addressed the Peruvian Foreign Minister on the 15th of March, 1905, in the following terms:

"I must express to Your Excellency that to the firmness with which I maintain the undeniable rights of my country I wish to add the sincerity with which in the name of my Government I invite that of Your Excellency's to obtain an agreement based on the interests and convenience of both Republics and inspired by the same motives which have induced Chile to put an end to the difficulties with the other neighbouring countries.

"Based on practical ideas of this kind Chile and Peru should be able to come to an immediate, complete and lasting arrangement.

"Your Excellency can rest assured that, if the Government of Chile desires to reach this definite settlement, it is because it wishes to live in accord with the spirit of the times and to be in accord with the trend of events, and because it is fully convinced that moral, political and economic solidarity is the fundamental law of nations."

On the 25th of April, the Peruvian Minister for Foreign Affairs answered:

"It is gratifying to my Government to accept Your Excellency's invitation with the object of negotiating the carrying out of the Treaty of Ancon in what concerns the provinces of Tacna and Arica, being convinced that nothing would contribute more to assure the cordial

relations which, as your Excellency says, should unite the American Nations for the realisation of their destinies than the faithful fulfilment of their international obligations and the binding together of their mutual interests."

The negotiations were carried on in Santiago; on the 25th March, 1908, the Chilean Foreign Office proposed the following points as a basis for the discussion:

I.—A commercial agreement to make free of duty certain products of each country which are used in the other.

II.—An agreement for the development of the mercantile fleet and the establishment of a line of steamships paid for and subsidised by both Governments.

III.—The co-operation of both countries for the joint undertaking of constructing a railway from Santiago to Lima.

IV.—The fixing of a protocol to establish the form of the plebiscite which is to determine definitely the nationality of Tacna and Arica.

V.—Agreement to increase the amount of the sum the country which obtains the definitive Sovereignty of this territory shall pay the other.

The Peruvian Plenipotentiary, in his reply of May the 8th, 1968, ignored the first, second, third and fifth points and confined himself to saying that the only question which could be discussed was an agreement on the Plebiscite by which, in his opinion, only Peruvians should vote, thus already making a demand which had been refused by the Government and the people of Chile.

In spite of this persistent lack of cordiality and incorrigible stubbornness, the Chilean Foreign Office continued the negotiations for the sake of cordiality and proposed, on the 3rd March, 1910, the following basis for the taking of the plebiscite:

"All the plebiscitary acts shall be supervised by a Directive Board and carried out by Committees of Registration and Polling. The Board and Committees shall sit in Tacna and Arica and will be composed of three members: one nominated by the Chilean Government, another by the Peruvian Government and a third chosen by the Foreign Consuls resident in Tacna and Arica.

"The Board and the Committees will be presided over by the representative of the Chilean Government.

"The right to vote is granted to Chilean, Peruvian and Foreign males of over 21 years of age, who can read and write and who have resided at least 6 months in the territory."

The Government of Peru disregarded the cordiality and proposed the following substantial modifications:

"The Board and Committees shall be composed of three members to wit: one Peruvian, one Chilean and one neutral designated by a friendly country; this last member shall preside.

"The voting shall be public and only Chilean and Peruvian citizens who are over 21 years of age and who have resided in the territory since the 1st July 1907 have the right to vote; *this right is conferred on all men born in the Territory of Tacna and Arica*

and excludes the officials of the Chilean Government Administration and the Foreigners.

"In what concerns the rest the so-called Billinghurst-Latorre protocol will govern the proceedings."

It is enough to read the modifications proposed by Peru to be convinced that country had not a sincere purpose of arriving at an understanding with Chile and that her Government was only moved by the desire of wresting from us by diplomacy that which she knew not how to keep when she led us into the conflict of 1879.

While these preliminaries were being discussed in Santiago, the Chilean Plenipotentiary in Lima, in the Administration of Don Jose Pardo, wished to give a testimonial of friendship by placing a wreath on the tomb of the Peruvian soldiers killed in defence of their country. This praiseworthy act was well received by the Peruvian Foreign Office, on September 17th, 1908.

On the 24th of the same month, President Leguia succeeded President Pardo and, on the 28th of November of the same year, his Minister for Foreign Affairs refused the chivalrous offer of the Chilean Government.

The Peruvian Government made a platform for internal politics out of the international problem and in order to maintain her unfortunate position he did not hesitate to offer an insult to the act of courtesy of the Chilean Government.

In spite of this rebuff, Chile, still pursuing her ideals of peace and joint progress, continued the negotiations: these, however, came to an end on the 19th of March, 1910, by the Peruvian Government recalling its diplomatic representatives.

VII.

THE PRESENT SITUATION.

More that eight years have elapsed since the vicissitudes of internal politics in Peru led certain elements to consolidate their situation by means of the cheap expedient of exciting the patriotic feelings of the populace.

During this time Chile has not failed to seek an approximation and the more healthy and sincere political elements in Peru have thought likewise; unfortunately certain groups of the country, with which we so ardently wished to join in the march towards progress, have not yet reached the stage of adequate political organisation.

It is quite easy to trace a synchronous table of Peruvian intestine politics and its exaggerations against Chile.

Every candidate to the Presidency of the Republic in Peru, if he see that the more level headed politicians leave his side, immediately proceeds to wave the red rag of the question with Chile to gain the adherence of certain elements

It is not within the scope of these notes to enter into details, but it is not right to pass over in silence this special characteristic of Peruvian politics because it fixes the true value of the persistent claims of the Government of Peru against Chile.

The Chilean Government, following the traditions of its history and the duties of the future, endeavours to calm public opinion in Chile, hurt to the quick by the Peruvian excesses. As has been said before, when dealing with the commercial relations of both countries, and as is proved by our proposition for an agreement in 1908, Chile omitted no efforts and no sacrifices to keep up the tendency towards approximation between Chile and Peru.

This policy of positive results makes itself felt in the activities of Labour Unions and in the business connections which become every day closer. This policy of common interests followed by the Government of Chile was directed to an agreement concerning the Treaty of Ancon and it would be already reached, had it not been for the perturbing influence of the internal politics of Peru.

We quote with pleasure the following words taken from the speech made by the President of Chile, His Excellenncy Don Juan Luis Sanfuentes, on the 1st June, 1918, at the opening of the National Congress:

"Our commercial relations with Peru have increased very satisfactorily and these we must endeavour to encourage and develop. Joined as Chile and Peru are by common interests and traditions we must try to re-establish the old political and commercial relations and seek together a permanent solution of peace which will ensure the greatness of both nations."

Peruvian politicians had already noticed this improvement in the feelings of both nations and, in November 1917, the Chilean Minister for Foreign Affairs and the Plenipotentiaries from Peru to Brazil and Argentine held conferences in Santiago. The Peruvian Diplomats, on their way to their posts, stopped in Santiago and they were able to form an opinion of our kindly feelings and of our desire to give the question of Tacna and Arica a solution which, taking in consideration the incontrovertible rights of Chile and her vital interests, should, at the same time, satisfy the aspirations of Peru for whom this question is merely one of exaggerated patriotic vanity; mistaken feeling artificially kept alive by Peru, although she had renounced the Sovereignty of Tacna and Arica when she signed the Treaty of Ancon.

The Peruvian Plenipotentiaries in this conference expressed the wish to come an arrangement.

The Chilean Foreign Office, fully supported by the unanimity of public opinion, will continue to follow her straightforward policy of subordination to right, the rule that has guided her in the past, and likewise her programme of frank and cordial co-operation with her sister Republics, born to the life of liberty at the same time as she was.

Our Foreign Office has given many proofs of its love of right and the most eloquent of these has been Chile's attitude in the recent European war.

The Chilean Foreign Office, for whom International Law has always had and always will have the same true and positive value as the laws to which is attached a sanction, declared, in all and each of the situations in which its opinion was sought, that the Republic of Chile respected the dictates of the Law of Nations and that, while the violations of this law did not attack her honour, her safety or her interests, no condition or circumstance of any kind would make her depart from her neutrality.

Chile did not seek a policy of self-interest, which becomes a double-edged sword when carried out by countries of her rank; she has ad-

hered to the rules which had guided and governed nations before the war but which were suspended between the belligerent countries.

This honourable policy of safety for all has been duly appreciated by the Powers; if we may be allowed to say so, Chile, during the war, has given a living proof that only the binding force of right can ensure the Independence of Nations.

The Allied Powers have fully recognised the motives of justice that inspired our attitude and, in spite of our neutrality, they have given us constant proofs of appreciation and friendship. Of these, the most noteworthy is that of England, who made Chile a gift of 5 submarines and 50 naval and military aeroplanes with their accessories.

This gift from Britain, which was received by Chile as a proof of the friendly relations which have united both countries for over a century, was merely the material necessary for the instruction of the army and navy, and had no other military value. The Peruvian Government, however, saw in this a military menace, a menace which is disproved by our past, since our history shows that, outside of the war for our independence, Chile has taken up arms only to defend Peru in 1820, 1838, and 1865 and, later, to repulse the aggression engineered against us by Peru when that country forgot all the sacrifices we had made for her.

Some Peruvian groups, seeking to take positions which might give them some advantage in internal politcs, have not hesitated to make use of this situation as an opportunity to disturb the healthy currents of approximation noticed by the Peruvian Diplomats in Santiago in the month of November 1917 and by the President of the Republic of Chile in June 1918.

We seek the amicable solution of the problem of Tacna and Arica, just as we did when we settled our questions with Argentine and Bolivia. We wish to settle our difference with Peru by those means which are characteristic of our history and which are giving such good results among the South American Republics, grouped every day closer around their common interests, with the sole exception of Peru.

We exert ourselves to secure the international peace of the South American Continent which facilitates the development of riches, which, though they are our birthright, are products the human race requires for its welfare; and we could proceed undisturbed in these activities but for this small Peruvian question which we wish to see solved as soon as possible.

The Chilean Government is constantly receiving petitions from various sources which encourage it to put a prompt end to a situation which hampers our progress.

Lately a campaign against Chile was let loose in Peru on account of the deference shown us by His Britannic Majesty's Government. Chilean public opinion protested against this campaign on Peru's part and, in an orderly public meeting held on the 2nd of November in Iquique, the petitioners requested the prompt solution of the problem of Tacna and Arica by making good the rights which the Treaty of Ancon gave to Chile.

The Peruvian Consul in Iquique transmitted to his Government a biased and inexact version of the events, telling of imaginary occurrences with such a wealth of details that this exaggerated account was enough to cause popular demonstrations in Paita and Trujillo, where the Consulates of Chile were attacked.

The Government of Peru tendered apologies, but these were not such as could satisfy the Chilean Foreign Office.

Reprisals were to be expected, so the Chilean authorities, anxious to avoid all cause of disturbances, took immediate steps to protect the Peruvian Consuls in Chile and to safeguard the Chilean Consular functionaries in Peru from any further attacks, authorising the latter to return to Chile if they deemed it advisable.

Chile expected public opinion in Peru to show its good sense, but so far it has not done so and falsified information sent again by the Peruvian Consul of Iquique has led the Peruvian Government to make a protest to the Chilean Government and to recall its consular functionaries.

Our Foreign Office answered the Peruvian Minister in terms that were severe but measured and, as always, strictly in accordance with the facts. The text of the Chilean answer to the Peruvian Government has been already inserted in Chapter II.

Chile will always endeavour to come to an understanding with the true representatives of the people, those who are trying to conduct the nation to its highest destinies by the noble road of respect for justice and right; she will take no notice whatever of passing disorders fomented by irresponsible, pettifogging politicians who only seek their own selfish ends.

It was at the cost of great sacrifices that we remained neutral in the European war, obedient to the precepts of International Law. Whatever commentaries this attitude may have called forth, the fact of the matter is that it has met with the most ample approval from the Allied countries, and this approval has been expressed by their representatives in Chile, by the special missions which have visited Chile during the war and by the exceptional marks of goodwill shown by His Britannic Majesty's Government to Chile. We are ready to make the same sacrifices and the same efforts to maintain in our relations with Peru the supremacy of International Law, certain, as Chile is, that the application of those principles will confirm the Chilean rights which follow clearly from the Treaty of Ancon.

There are moral situations of such intrinsic importance that they are above expressions of mere momentary interest; such has been the position of Chile in the contention that is kept alive by the internal political struggles of Peru.

When a situation like this occurs and those that place themselves in such a situation are attacked there is no need to resort of any out-of-the-way expedients to defend it, the simple exposition of the truth is enough, and, if in spite of this the attacks continue, the contention is of such a nature that it is resolved before the tribunal of opinion without resorting to blows among men or war between States.

The superiority of an indisputable right, and the irreprcachable conduct of the party that supports it, renders it unnecessary that he should arm himself to defend it, and the very dignity of this position would disarm who ever might attack it.

Such are the reciprocal situations of Chile and certain elements in Peru who find their advantages in these disturbances. We call attention to this because the real situation of Chile and Peru, that of the serious minded people, is that observed by the President of Chile and the Peruvian diplomats in June 1918 and in November 1917.

This opinion is that of justice and of those level-headed persons who have the true interest of their country at heart. It must triumph as truth triumphs over falsehood and as light overcomes darkness.

FRANCISCO RIVAS VICUNA,

EXTRAORDINARY ENVOY AND PLENIPOTENTIARY MINISTER FOR CHILE.

TOKYO: DECEMBER, 1918.

YD044009